



January 20, 2003

Ms. Marlene H. Dortch  
Federal Communications Commission  
445 12th Street, S.W., Room 1-A836  
Washington, D.C. 20554

Re: Notice of *Ex Parte* Presentation in CC Docket No. 01-338

Dear Ms. Dortch:

Pursuant to Sections 1.1206(b)(2) of the Commission's Rules, this letter is to provide notice in the above-captioned docketed proceedings of an ex parte meeting on January 20, 2003, by John Windhausen and Jonathan Askin of the Association for Local Telecommunications Services (ALTS), Julia Strow of Cbeyond Communications, Kevin Joseph and Mary Albert of Allegiance Telecom, Ed Cadieux of NuVox Communications, Jason Oxman and Praveen Goyal of Covad Communications, Pat Donovan of Swidler, Berlin, John Heitmann of Kelley, Drye, and Thomas Jones of Willkie, Farr. The parties met with Christopher Libertelli, Legal Advisor to Chairman Powell. The parties stressed the need for the FCC to ensure that ILECs provide unbundled access to loops, transport and enhanced extended links. The parties discussed the inevitable setbacks to telecom competition if the FCC were to deny CLECs unbundled access to these bottleneck facilities. The parties stressed that the facts show that access to unbundled loops, transport and EELs is still critical to CLECs' ability to compete. The parties indicated that, whatever new rules or rule modifications the FCC adopts, the FCC must not allow the ILECs to latch onto new loopholes to effectively preclude CLEC access to UNEs and UNE combinations. The parties further emphasized the need for clear presumptions favoring UNE provisioning and procedures to ensure swift enforcement of the FCC UNE provisioning rules.

If you have any questions about this matter, please contact me at 202-969-2587.

Respectfully submitted,

/s/

Jonathan Askin

**FROM THE DESK OF:**  
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